

IN THE UNITED STATES DISTRICT COURT
FOR THE EAST DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (No. VI)

MDL DOCKET NO.: MDL -875

This Document Relates to:

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RUBY ODOM, ET AL.

PLAINTIFFS

VS.

CAUSE NO. 1:00CV586GR

ABEX CORPORATION, ET AL.

DEFENDANTS

FILED

JUL 15 2009

Severed Cases:

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

RUBY ODOM O/B/O BILBO CLARK
DONNA RAY CULVER
WILLIAM C. FELLS
JOSEPH GEORGE
ULYSSES GEORGE
LEE P. GOODEN
ROBERT L. HARRISON
DAVID HUTCHINS
WILLIE L. JACKSON, JR.
WILLIE E. LAIRD
DOUGLAS E. MCILWAIN
JOHN C. MILLER
DRUE MOORE
BURNELL MORGAN
JAMES MURRAY
DAVID OWENS
RAYMOND PURDY
JERRELL Q. SMITH
COLLIDGE P. WALLACE

PA E.D. CASE NO. 08CV86888-ER
PA E.D. CASE NO. 08CV86889-ER
PA E.D. CASE NO. 08CV86890-ER
PA E.D. CASE NO. 08CV86891-ER
PA E.D. CASE NO. 08CV86892-ER
PA E.D. CASE NO. 08CV86893-ER
PA E.D. CASE NO. 08CV86894-ER
PA E.D. CASE NO. 08CV86895-ER
PA E.D. CASE NO. 08CV86896-ER
PA E.D. CASE NO. 08CV86897-ER
PA E.D. CASE NO. 08CV86898-ER
PA E.D. CASE NO. 08CV86899-ER
PA E.D. CASE NO. 08CV86900-ER
PA E.D. CASE NO. 08CV86901-ER
PA E.D. CASE NO. 08CV86902-ER
PA E.D. CASE NO. 08CV86903-ER
PA E.D. CASE NO. 08CV86905-ER
PA E.D. CASE NO. 08CV86906-ER
PA E.D. CASE NO. 08CV86907-ER

**MOTION FOR PARTIAL DISMISSAL AND ORDER TO TRANSFER TO
“BANKRUPT’S ONLY” DOCKET**

Plaintiff hereby submits to the Court, in accordance with this Court’s Administrative Order No. 12, that the remaining claims in this action are against bankrupt and non-bankrupt defendants. Plaintiff desires to dismiss with prejudice all claims against the remaining non-bankrupt defendants and pursue those claims remaining against the bankrupt defendants through the bankruptcy claim process.

The remaining non-bankrupt defendants to be dismissed with prejudice are:

1. **ABEX CORPORATION**
2. **ALLIEDSIGNAL, INC.**
3. **AMERICAN STANDARD, INC.**
4. **AMERICAN STANDARD COMPANIES, INC.**
5. **AUTOZONE, INC.**
6. **BENDIX CORPORATION**
7. **BORG-WARNER CORP.**
8. **CLARK EQUIPMENT CO.**
9. **COOPER INDUSTRIES, INC.**
10. **CSK AUTO CORP.**
11. **DAIMLER CHRYSLER CORPORATION**
12. **DANAHER CORP.**
13. **DRESSER INDUSTRIES**
14. **FEDERAL-MOGUL PRODUCTS, INC.**
15. **THE FIRESTONE TIRE & RUBBER COMPANY**
16. **FIRESTONE STORES OF NATCHEZ, INC.**
17. **FORD MOTOR COMPANY**

18. **GARLOCK, INC.**
19. **GENERAL MOTORS CORPORATION**
20. **GENERAL ELECTRIC**
21. **THE GOODYEAR TIRE AND RUBBER COMPANY**
22. **HENNESSY INDUSTRIES**
23. **HONEYWELL INTERNATIONAL, INC.**
24. **HOME SUPPLY CO.**
25. **HIMEL AUTO PARTS GULF COAST, INC.**
26. **LAUREL TRUCK PARTS & SUPPLY, INC.**
27. **LEAR CORPORATION**
28. **LLOYD'S MOTOR PARTS, INC.**
29. **MAGNETEK, INC.**
30. **NACCO MATERIALS HANDLING GROUP, INC.**
31. **NAPA AUTO PARTS, INC.**
32. **NAPA AUTO PARTS OF PRENTISS, INC.**
33. **O'REILLY AUTOMOTIVE**
34. **PARTS, INC.**
35. **PEP BOYS**
36. **PNUEMO ABEX CORP.**
37. **QUALITY AUTO BURNELL**
38. **SEARS, ROEBUCK & COMPANY**
39. **STANDARD MOTOR PRODUCTS, INC.**
40. **S.K. WELLMAN CO.**

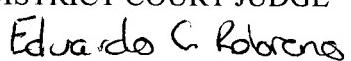
41. **TIGER PARTS, INC.**
42. **TRW, INC.**
43. **WALLS AUTO AND TRACTOR PARTS, INC.**
44. **WHITMAN CORPORATION**
45. **WOODS AUTOMOTIVE, INC.**
46. **GASKET HOLDINGS, INC.**
47. **EATON CORPORATION**
48. **GENUINE PARTS COMPANY**
49. **CARLISLE COMPANIES, INC.**
50. **DANA CORPORATION**

Plaintiff therefore moves that, following the dismissal of the non-bankrupt defendants, this action be transferred to the Court's administrative "Bankrupt's Only" docket. The Plaintiff understands that should there be a change of circumstances, the Plaintiff may, upon compliance with Administrative Order No.12, petition the Court to have this action reinstated against certain bankrupt defendants.

Plaintiff further understands that it is Plaintiff's responsibility to submit a final dismissal order to this Court when all claims have been resolved.

SO ORDERED



UNITED STATES DISTRICT COURT JUDGE
(7/9/2009) 

SUBMITTED BY:

/s Timothy W. Porter

Counsel for Plaintiff:

Timothy W. Porter, MSB No. 9687

Patrick C. Malouf, MSB No. 9702

John T. Givens, MSB No. 101561

PORTER & MALOUF, P.A.

Post Office Box 12768

Jackson, Mississippi 39236-2768

Telephone: (601) 957-1173

Facsimile: (601) 957-7366